

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In Re:

**AREDIA® AND ZOMETA® PRODUCTS
LIABILITY LITIGATION**

(MDL No. 1760)

**This Document Relates to:
(Group Four Cases – See
Attached List)**

**No. 3:06-MD-1760
Judge Campbell/Brown**

ORDER

Failure to respond to Interrogatory 1 or 4, depending on when the interrogatories were served, has been a recurring problem. The purpose of this order is to again clarify the court's stated position on this issue. Specifically, if plaintiffs "fail to timely produce the ordered discovery, their medical damages evidence will be precluded." (DE 6799 at p. 3)

In those cases attached as Exhibit 1 where Novartis has requested medical expenses, plaintiffs shall comply with those requests as required under Rule 26, Fed. R. Civ. P. In those instances where plaintiffs have failed to respond to Novartis's request, those plaintiffs shall do so not later than June 20, 2014. Thereafter, plaintiffs shall supplement those medical expenses every ninety (90) days. Absent good cause shown, failure to provide medical expenses as instructed above will preclude plaintiffs from seeking damages for those medical expenses not submitted.

It is so **ORDERED**.

ENTERED this 30th day of May, 2014.

/s/Joe B. Brown
Joe B. Brown
United States Magistrate Judge

EXHIBIT 1

3:09-00870, Bystedt
3:09-00871, Lowe
3:09-00872, Loewer
3:09-00873, Waldrop
3:09-00874, Thomas
3:09-00915, King
3:09-00916, Baghai
3:09-00917, Agudo
3:09-00935, Poole
3:09-00963, Petrovic
3:09-00964, Lewellen
3:09-00965, McDonald
3:09-00967, Green
3:09-00968, Fairbanks
3:09-00969, Dove
3:09-00970, Land
3:09-00978, Thomas
3:09-00979, Zrucky
3:09-00980, Brown
3:09-01027, Kimes
3:09-01076, Coleman, et al.
3:09-01077, Lumia
3:09-01078, Scheuer
3:09-01079, Lopour
3:09-01080, Andrews
3:09-01081, Hodson
3:09-01082, Daugherty
3:09-01123, Eckblom, et al.
3:09-01126, Kahn
3:09-01146, Steele
3:09-01213, Esposito, et al.
3:10-00010, Brandiff
3:10-00011, Garrett
3:10-00012, McAmis
3:10-00013, Sweet
3:10-00014, Barnes
3:10-00016, Gillis
3:10-00017, Campos
3:10-00018, Flynn
3:10-00087, Wagner, et al.
3:10-00089, Clifton, et al.
3:10-00091, Ward

3:10-00092, Campo
3:10-00093, Givens
3:10-00094, Santha
3:10-00095, Schade
3:10-00096, Stephansky
3:10-00097, Torres
3:10-00098, Van Ert
3:10-00099, Ward
3:10-00120, Hillock
3:10-00274, Legato
3:10-00275, Cartwright
3:10-00276, Webb
3:10-00307, Haimowitz
3:10-00308, Phillips
3:10-00309, Jones
3:10-00312, Wieland, et al.
3:10-00331, King
3:10-00434, Horton
3:10-00435, Cook
3:10-00437, Schnelle
3:10-00469, Richardson
3:10-00640, Blough
3:10-00641, Grey
3:10-00716, Bush
3:10-00717, Replogle
3:10-00718, Ibarra
3:10-00751, Braganza, et al.
3:10-00752, Stuver, et al.
3:10-00832, Stephens
3:10-00833, Williams
3:10-00977, Jepps
3:10-01077, Bock
3:10-01095, D'Agostaro
3:10-01191, Ivester
3:10-01201, Mella, et al.
3:10-01202, Manarite, et al.
3:11-00056, Pratz
3:11-00057, Adams, et al.
3:11-00094, Shepler, et al.
3:11-00141, Gagliardi, et al.
3:11-00142, Campbell
3:11-00143, Luzadder
3:11-00144, Poaps
3:11-00326, Miscovich

3:11-00328, Sakach
3:11-00329, Puntaluk
3:11-00330, Workman